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45 UNITED STATES DISTRICT COURT
6 NORTHERN DISTRICT OF CALIFORNIA

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8 RED HEAD, INC., No. C-08-5703 EMC

9 Plaintiff,

10 v.

11 FRESNO ROCK TACO, LLC,

12 Defendant.

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28**ORDER DENYING WITHOUT
PREJUDICE PLAINTIFF'S
ADMINISTRATIVE MOTION TO
CONSIDER WHETHER CASES ARE
RELATED****(Docket No. 53)**

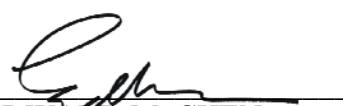
Plaintiff has filed an administrative motion, asking that the Court deem a case, which is currently pending in the Eastern District of California, related to the above-referenced case. Plaintiff relies on Civil Local Rule 3-12 as a basis for this Court to deem the cases related. However, Civil Local Rule 3-12 applies only when *both* cases are in this District. *See Civ. L.R. 3-12(b)* (providing that, “[w]henever a party knows or learns that an action, *filed in or removed to this district* is . . . related to an action which is or was *pending in this District* . . . , the party must promptly file . . . an Administrative Motion to Consider Whether Cases Should be Related”) (emphasis added).

Accordingly, Plaintiff's request to relate is **DENIED** without prejudice.

This order disposes of Docket No. 53.

IT IS SO ORDERED.

Dated: November 23, 2010


EDWARD M. CHEN
United States Magistrate Judge